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5		ICTRICT COLUDT
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7	DISTRICT OF ARIZONA	
8	United States of America,	
9	Plaintiff,	MAGISTRATE NO. 08-03303M-001
10	V.	
11	Aaron Cuathemoc-Cheno,	Order Re: Extending Time to Indict
12	Defendant.	
13		
14	HAVING considered Defendant Aaron Cuathemoc-Cheno's Motion to	
15	Extend Time and good cause having been shown;	
16	THE COURT makes the following findings:	
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18		to consider the plea offer extended by
19	3. The defendant wishes to in	vestigate possible defenses prior to ea offer;
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21	4. The government's plea offer, if court, would likely reduce defer	accepted by the defendant and then the dant's exposure to a significant term of
22	imprisonment;	
23	the government will withdraw s	accept the plea offer prior to indictment, said plea offer and any subsequent plea
24		likely be less advantageous to the
25	6. Failure to extend time for indict	ment in this instance would thus operate
26		ing the government's plea offer in a ent; and
27		
28	Jul 29, 2008 - 1506	

1 2	7. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy indictment.	
3	The Court therefore concludes that the ends of justice are best served by granting	
4	an extension of time to present the case to the grand jury and in excluding a period of	
5	thirty (30) days under the Speedy Trial Act. In making this determination, the Court has	
6	particularly taken into account that the failure to grant the Defendant's request "would	
7 8	deny counsel for the defendant the reasonable time necessary for effective preparation,	
9	taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(8)(B)(iv).	
10	IT IS HEREBY ORDERED that defendant's Motion to Extend Time for	
1112	Indictment requesting an extension of thirty (30) days within the government may seek to	
13	indict defendant, is hereby granted.	
14	IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. §	
15	3161, the Government shall have an extension of thirty (30) days to file a timely	
1617	Indiatment Evaludable time shall begin to mun on the 21st day after arrest for a period of	
18	thirty (30) days in which the Government may present the case to the grand jury.	
19	DATED this 29 th day of July, 2008.	
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22	Johnstone C. Julepan	
2324	Lawrence O. Anderson United States Magistrate Judge	
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